

**INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING
SUSPECT DEAD
IAB SH 2047138
URN: 001-15399-1462-055**

On Saturday, October 6, 2001, Lieutenant Karyn Mannis, Sergeants William Hines and Henry Reyes of the Internal Affairs Bureau responded to 13107 Valley Boulevard, Industry regarding a Deputy Involved Shooting involving Industry Station personnel. Lieutenant Don Bear, Sergeants Chris Brackpool, and Mark Winters, and Investigators Margarita Barron, Michael Scott, Gabrielle Graves and Charles Morales from Homicide Bureau were on scene to conduct the criminal investigation.

The summary of this incident is based on information obtained from interviews of the involved employees and witnesses, whose individual statements are contained in the Homicide Bureau case package. **Refer to Exhibit A**

INVOLVED PERSONNEL:

HEIECK, Sean A., Deputy, # [REDACTED]
MORALES, Raye D., Deputy, # [REDACTED]
Industry Station
Field Operations Region III

EMPLOYEE WORK HISTORY:

HEIECK, Sean A.

Date of Employment:	<u>March 12, 1990</u>
Date assigned to Patrol:	[REDACTED]
Completed Patrol Training:	[REDACTED]
Prior Shooting Incidents:	[REDACTED]
Prior Founded Force Incidents:	[REDACTED]

MORALES, Raye D.

Date of Employment:	<u>September 14, 1988</u>
Date assigned to Patrol:	[REDACTED]
Completed Patrol Training:	[REDACTED]
Prior Shooting Incidents:	[REDACTED]
Prior Founded Force Incidents:	[REDACTED]

SUSPECT:

GUILLEN, Ernest M/H/29-Deceased

Suspect Guillen had an

During an interview with Homicide Investigators, an informant said that Guillen was [REDACTED], and added that Guillen was armed with two handguns and would not be taken alive.

Refer to Exhibit A, Page 90- Supplemental Report on Suspect Guillen's background and Page 109 through 119- Suspect Guillen's Criminal Record

Suspect Guillen had “So San Gabriel Lomas” tattooed on his abdomen. **Refer to Exhibit A, Page 165-Coroner’s Report**

The following items were found during an inventory search of Suspect Guillen's car while at the location of the shooting: Marijuana, scales, methamphetamine, a "grenade simulator," and a 9mm semi-automatic pistol with fifteen rounds in the magazine. The gun was reported stolen. **Refer to Exhibit A, Page 30-List of inventoried items and Page 106-Automated Firearms printout**

WITNESSES:

Sworn:

Deputy

Civilian:

INJURIES:

Suspect Guillen was pronounced dead at the scene at 0035 hours by Paramedic Karp, Squad #29. Suspect Guillen received eleven gunshot wounds. Four of the eleven gunshot wounds were considered rapidly fatal. **Refer to the Autopsy Report in Exhibit A-Pages 122 through 145**

PHYSICAL EVIDENCE:

Refer to Homicide investigation book- **Exhibit A, Pages 80 through 83**

Fourteen expended 9mm shell casings were recovered at the scene. The shell casings were located in the area where the deputies stated they fired their weapons. **Refer to Exhibit A, Pages 81 and 82 and Page 92 for their exact location and scene diagram**

INVESTIGATOR OBSERVATIONS:

The location of the shooting was on the north sidewalk in front of a vacant liquor store at 13107 E. Valley Boulevard, Industry.

A dark green Ford mini van was parked facing eastbound along the north curb line in front of the vacant liquor store. The driver's and front passenger's side doors were open. There was a bullet hole in the front windshield of the van and the driver's door window was shattered. Broken glass was on the ground and inside the van.

The suspect was on the north sidewalk of Valley Boulevard near the van. His head was in an easterly direction and his feet were in a westerly direction. There was blood around the suspect. **Refer to Exhibit A, Pages 85 through 89 for a detailed crime scene narrative and Exhibits I and J**

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Morales fired three rounds from his duty weapon: **Beretta 9mm Luger Caliber, Model 92FS, double action semiautomatic pistol, Serial Number BER[REDACTED]Z**

Deputy Heieck fired eleven rounds from his duty weapon: **Beretta 9mm Luger Caliber, Model 92FS, double action semiautomatic pistol, Serial Number BER[REDACTED]Z**

Both weapons were examined, test fired, and found to be functional by Firearms Examiner Dale Higashi. **Refer to Exhibit A, Page 193-Firearms Examiner Report**

WEAPONS USED BY SUSPECT:

Walther PPK, .380 Caliber, semiautomatic pistol, stainless steel finish with black grips, Serial # [REDACTED] One live hollow point round was found in the chamber and five live rounds were found in the magazine. **Refer to Exhibit A-Page 82 regarding the gun and Exhibit K-Photographs of the suspect's gun**

PROPERTY DAMAGE:

L.A. County Sheriff's vehicle #SD01259 was damaged by two bullet holes: one in the windshield and one in the front driver's door. The Chevron Gas Station, 13129 E. Valley Boulevard was damaged by three bullet holes: two to a "Winston/Camel" cigarette advertisement sign and one to a light fixture above a gas pump. It was later determined that the bullet hole to the light fixture was old damage and was not related to this incident. Risk Management Bureau was notified and was on scene. **Refer to Exhibit A, Pages 83 and 84-List of Property Damage and Exhibit H-Photographs of Chevron Station**

CRIMINAL INVESTIGATOR/CHARGES FILED:

Homicide Bureau Detectives:

CHRIS BRACKPOOL # [REDACTED] SERGEANT

MARGARITA BARRON # [REDACTED] INVESTIGATOR

No charges were filed-Suspect deceased.

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the early morning hours. The location is a business district at 13107 Valley Boulevard, Industry. There are street light standards along the street. There was also lighting from the businesses along the street illuminating the boulevard. All of the street lights were functioning properly.

The weather was cloudy and cool.

INVOLVED EMPLOYEE'S STATEMENTS:

DEPUTY RAYE D. MORALES

Deputy Morales told Homicide investigators that he is regularly assigned as a Special Assignment Officer for the City of La Puente. At the time of the incident, he was working undercover, assigned to a special operation called "Operation Overload." The operation was briefed by Sergeant Jeff Scroggin at 1800 hours on the date of the incident. **Refer to Exhibit A, Page 94-Operation Plan**

IAB NOTE: Deputies Morales and Heick were specifically assigned to "Surveillance Car 1" and their call sign was 143E. In **Exhibit A, Page 97**, the Operations Plan instructed them: *"You are responsible for driving within the targeted area and looking for criminal activity in a surveillance vehicle. You will be wearing a SAO uniform, covered with the jacket/shirt of your choice. Unless extremely necessary by the circumstances presented to you, you are not to take any enforcement action. Your mission will be to direct assisting patrol units to criminal activity you believe is occurring."*

This operation was developed due to increased gang activity and three homicides which occurred in the last five weeks in the area of West Valinda, Bassett and West La Puente. Also involved in this operation were members of the Probation Department and the COPS Team. Deputy Morales was working with his partner, Deputy Sean Heieck.

Deputy Morales and his partner were dressed in plain clothes and drove an unmarked green van. Deputy Heieck was the driver. They were instructed to focus on areas of high gang activity. On seeing any gang activity, they were to notify uniform personnel, also assigned to the operation.

During this operation, they drove to the parking lot of "Miss Kitty's Bar" and saw six "Mongols" gang members standing at the entrance of the bar.

IAB NOTE: Deputy Morales has been assigned to Industry Station for about eleven years. He has knowledge that "Miss Kitty's" is a hang out for narcotic and gang activity. During this operation, Deputies Heieck and Morales drove past the location about five times prior to the observation of the "Mongols."

They identified these gang members by the "colors" they were wearing. Deputies Morales and Heieck left the parking lot and returned a short time later. They contacted a long haired, white male who was standing in the parking lot and after a short conversation, this individual said that he would attempt to obtain some "meth" for them. Deputies Morales and Heieck then drove to the Chevron Station, just east of the bar, and met with Sergeant Scroggin. They advised him of the possible narcotics activity and the presence of the "Mongols."

IAB NOTE: Sergeant Scroggin was supervising a Bike Team as part of this operation. They made a plan for the Bike Team to contact the “Mongols.”

Deputies Morales and Heieck returned to the bar and parked in the parking lot. They were just west of the bar in a position to view the main entrance and side emergency exit. They saw several “Mongols” talking to the long haired, white male they had spoke with earlier. There was also a heavy set male Hispanic with short hair talking with the “Mongols.” It appeared to the deputies that the group was engaged in a conversation regarding the cost of drugs.

As Deputies Morales and Heieck continued their surveillance of the group, they saw a patrol car and four members of the Bike Team arrive at the rear of the bar. Deputies Morales and Heieck did not have a clear view of the entrance, however, they could see where the deputies walked toward the entrance. The deputies walked into an enclosure which is near the entrance door.

IAB NOTE: The entrance to “Miss Kitty’s” is at the rear of the building. **Refer to Exhibit C and D-Photographs of “Miss Kitty’s**

About thirty seconds later, Deputy Morales saw who he believed was Deputy Jensen walk out of the entrance with a male Hispanic, who appeared to be uncooperative. Deputy Morales did not recognize this person from his earlier surveillance. Suddenly, his attention was directed to an alarm on the west side emergency exit of “Miss Kitty’s.” This side emergency door “flew” open and Deputy Morales saw a male Hispanic come out and a female Hispanic, also standing at the door yelling, “Hurry up, go, go, go!” As she said this, it appeared that she was pushing the person out the door. The male Hispanic (suspect) turned to his left and ran southbound. **Refer to Exhibit E-Photographs of emergency exit**

IAB NOTE: Later in his interview, Deputy Morales said that the male who ran out the emergency door resembled the male he saw earlier talking to the “Mongols.” Deputy Morales did not actually see this male Hispanic enter the bar. Deputy Morales did not have a clear view of the entrance. This male Hispanic appears to be the suspect that Sergeant Scroggin attempted to detain inside the bar. The suspect pulled away from Sergeant Scroggin. It also appears that this was the same male Hispanic that was involved in the shooting. **Refer to Exhibit A, Page 42 for a synopsis of Sergeant Scroggin’s interview**

Upon seeing this, Deputy Morales said that he was not “quite sure what had happened.” He felt that the deputies inside the bar had possibly been involved in some type of altercation with the male, and the female was possibly trying to help him escape. Deputy Morales told Deputy Heieck to follow the male. Deputy Heieck was driving the van and pulled up behind the suspect within five to six feet. At the same time, Deputy Morales yelled at the suspect, “Stop, freeze, police!” The suspect turned around and looked at them, then turned back around and continued to run in a southeast direction across Valley Boulevard, toward the 76 Gas Station. Deputy Heieck drove after the suspect

and was within seven to ten feet behind him as he crossed Valley Boulevard. Deputy Morales continued to yell at the suspect, “Stop, police, freeze!” The suspect ignored the orders and continued to run toward the gas station. Deputy Heieck entered the gas station on the east driveway and the suspect ran toward a “park bench” on the sidewalk. **Refer to Exhibit G-Photographs of the 76 Gas Station driveways and the bus bench**

The suspect ran around the bench and Deputy Morales saw the suspect reach toward his waistband. Deputy Morales believed that the suspect was reaching for a gun. As Deputy Heieck drove out of the gas station on the west driveway, Deputy Morales yelled out to his partner, “He’s getting a gun, he’s getting a gun!” Deputy Heieck continued to chase the suspect, however, the suspect was slowing down and turning toward the deputies. Deputy Morales said he felt that the suspect was trying “to pick his spot where he can turn around and actually get a position to fire.” Deputy Morales had not yet seen the suspect pull out a gun, but the suspect was “making that movement” where his hands were near the front of his waistband. The suspect kept looking back at the deputies. Deputy Morales thought the only reason the suspect wasn’t able to turn completely around was because “Sean was so close behind him in the car, that if he had stopped, probably he would have been run over.” They continued northeast across Valley Boulevard and as the suspect ran up on the sidewalk, Deputy Heieck “had to slow down” or they would have ran into the curb. As Deputy Heieck slowed down, Deputy Morales saw the suspect turn around and start to point a firearm at them. Deputy Morales said that he could see the “chrome” of the gun. Deputy Morales yelled to his partner, “He’s got a gun, he’s got a gun!” Deputy Morales said it was happening very fast and he was thinking, “Oh shit!” the suspect was going to shoot him. Simultaneously, as Deputy Heieck was stopping and the suspect was turning toward them with the gun, Deputy Morales was “bailing out of the van.” Deputy Morales said he feared for his safety since he was the one closest to the suspect. He also feared for his partner’s safety. The suspect continued his motion toward them with his gun. Deputy Morales already had his weapon drawn and fired at the suspect. Deputy Morales did not hear any other rounds fired. The suspect fell to the ground and stopped moving. **Refer to Exhibits I and J-Photographs of the van’s position and the suspect’s position**

IAB NOTE: Later in the interview, Deputy Morales said that the entire incident lasted only about thirty seconds, from the time the suspect ran out the emergency door to the shooting. Deputy Morales also said that at the time, he didn’t know if his partner fired at the suspect.

Deputy Heieck advised over the radio that they had been involved in a shooting and requested paramedics. Other deputies arrived at this point and provided medical assistance and took control of the scene.

Deputies Morales and Heieck were dressed in plain clothes due to their undercover assignment. Immediately after the shooting, they put on their raid jackets in order to be identified by responding units.

DEPUTY SEAN A. HEIECK

Deputy Heieck told Homicide investigators that he is regularly assigned as a Special Assignment Officer for the City of La Puente. At the time of the incident, he was assigned to a gang suppression detail which included members of O.S.S. , G.E.T. and COPS. The operation was briefed by Sergeant Jeff Scroggin at 1800 hours on the date of the incident. **Refer to Exhibit A, Page 94-Operation Plan**

IAB NOTE: Deputies Heieck and Morales were specifically assigned to "Surveillance Car 1" and their call sign was 143E. In **Exhibit A, Page 97**, the Operations Plan instructed them: *"You are responsible for driving within the targeted area and looking for criminal activity in a surveillance vehicle. You will be wearing a SAO uniform, covered with the jacket/shirt of your choice. Unless extremely necessary by the circumstances presented to you, you are not to take any enforcement action. Your mission will be to direct assisting patrol units to criminal activity you believe is occurring."*

Deputy Heieck and his partner, Deputy Raye Morales, were assigned to work in an undercover vehicle, identify any criminal activity and report it to uniformed deputies so they could respond and make an arrest. They were dressed in plain clothes. Deputy Heieck was the driver.

One of the target areas of the operation was "Miss Kitty's Topless Bar" at 13107 Valley Boulevard.

IAB NOTE: Deputy Heieck has been assigned to Industry Station for about four years. He has knowledge that "Miss Kitty's" is a hang out for narcotic and gang activity. During this operation, Deputies Heieck and Morales drove past the location about five times prior to the observation of the "Mongols."

They drove past the bar several times during the evening. The bar got progressively crowded, later in the night. Around midnight, they saw several "Mongols" gang members "flying their colors" at the entrance of the bar. Deputies Heieck and Morales then arranged to meet with Sergeant Scroggin and other deputies to advise them of their observations at "Miss Kitty's."

A plan was then developed to contact the gang members. Deputies Heieck and Morales drove their van back to the parking lot of "Miss Kitty's" and parked just west of the location about three car lengths away. As they watched the activity near the entrance to the bar, they saw a long haired male and a male Hispanic with a shaved head, talking to the "Mongols." Deputy Heieck advised Sergeant Scroggin of this activity via his radio. A few minutes later, Sergeant Scroggin and his Bike Team members arrived at the bar entrance and walked into a gated area. Deputy Heieck then lost sight of the deputies.

IAB NOTE: The entrance to "Miss Kitty's" is located at the rear of the building and is hidden by a fence partition. **Refer to Exhibit D- Photographs of "Miss Kitty's"**

A few seconds after the deputies entered the gated area, Deputy Jensen walked out of the area escorting a male, who appeared excited or agitated. Deputy Heieck could not see any of the other deputies. Suddenly, a door on the west side of the bar swung open and an alarm sounded. Deputy Heieck saw a female Hispanic and the male Hispanic he had seen earlier. The female was pushing the male out the door and telling him to hurry. As the male came out the door, “his hand was kinda of at his waist in front of him.” Deputy Heieck said he was fearing for the safety of the other deputies who were still inside the bar. He did not know what had occurred inside the bar and there wasn’t any radio contact with the other deputies.

As the suspect came out the door, he immediately turned south. Deputy Heieck immediately followed the suspect. Deputy Morales immediately started yelling at the suspect, “Stop, police, freeze, police!” The suspect looked back at the deputies, but he ignored them and continued running across Valley Boulevard toward the 76 Gas Station.

Deputy Heieck said that he felt that something had just happened inside the bar and “this guy was obviously trying to get away.”

Deputy Morales repeatedly yelled at the suspect, “Stop, police!” Deputy Heieck tried to follow the suspect as close as he could. The suspect reached the south side of Valley Boulevard near the gas station, then he ran around the bench and started running back toward the bar. Deputy Heieck pulled into the east driveway, drove through the gas station and exited the west driveway. As the suspect ran around the bus bench, Deputy Heieck could see that the suspect had “something in his hands.” Deputy Heieck was sure that the suspect had a gun. **Refer to Exhibit G-Photographs of the 76 Gas Station and bus bench**

The suspect reached the north sidewalk of Valley Boulevard and Deputy Heieck said he was “right on him, really, really close to this guy.” The suspect got up on the curb and Deputy Heieck heard Deputy Morales say, “He’s got a gun, he’s got a gun!” The suspect started to turn toward the deputies and Deputy Heieck could see the suspect holding a gun. Deputy Heieck “slammed on the brakes” and Deputy Morales jumped out of the van. The suspect extended his arms holding the gun and Deputy Heieck could hear Deputy Morales firing. Deputy Heieck was still inside the van and fearing for his life and the life of his partner, fired one round through the windshield. He then got out of the van and fired directly at the suspect. The suspect dropped to the ground and Deputy Heieck could see the suspect’s gun partially protruding from under the suspect’s upper torso. **Refer to Exhibits I and J-Photographs of the van’s position and the suspect’s position**

IAB NOTE: Later in the interview, Deputy Heieck said that as the suspect crossed the street, he (suspect) slowed down prior to getting on the sidewalk. Deputy Heieck said he thought, “That was it.” The suspect was “taking his stand.” It was apparent at that point that the suspect was not trying to get away. The suspect stopped and “made a deliberate motion, pointed the gun directly at us, directly at the car.” Deputy Heieck thought he fired ten times at the suspect.

Deputy Heieck immediately requested paramedics. Other deputies arrived within seconds.

WITNESSES STATEMENTS:

Sworn

DEPUTY [REDACTED] [REDACTED]

IAB NOTE: Although Deputy [REDACTED] did not actually witness the shooting incident, he told Homicide and Internal Affairs Bureau investigators that just prior to the shooting, he was standing in the patio area of the bar. The patio is six to eight feet east of the entrance. Deputy [REDACTED] was facing eastbound, which allowed him to have a view of Valley Boulevard. Deputy [REDACTED] stood on top of a concrete slab and looked over a six-foot fence. He saw the suspect running toward him holding a gun in his right hand. The suspect's right hand was positioned just below the belt line. Upon seeing the gun, Deputy [REDACTED] immediately yelled to other deputies, "He's 417, he's 417!" The suspect made a right turn and went out of view. **Refer to Exhibit A, Page 49 for a synopsis of Deputy [REDACTED] interview**

NON WITNESSES (Sworn)

Several deputies were interviewed regarding this incident who were present at the scene, but did not witness the shooting. **Refer to Exhibit A, Pages 41 through 51 for a synopsis of those interviews**

Civilian

[REDACTED] [REDACTED]

Ms. [REDACTED] told Homicide and Internal Affairs Bureau investigators that at the time of the incident she was working at the [REDACTED]. **Refer to Exhibit G- Photographs of the [REDACTED]**

Ms. [REDACTED] said that she was inside the gas station, talking with some friends, when she saw a guy running near the diesel sign in front of the station. She also saw that he was shouting at some "other guys in a van" that were chasing him. She could hear the guy that was being chased saying "bad words" like "fuck" and "I'm going to kill you and stuff like that." It appeared to Ms. [REDACTED] that the van was trying to "hit" the guy because as the van was chasing him, it was "close" to him. The guys in the van were also yelling at the guy, but she could not hear what they said. It appeared to her that they "were fighting." The guy then ran across the street to the sidewalk. When he reached the sidewalk on the other side of the street, Ms. [REDACTED] saw two guys get out of the van and she heard "seven shots." Ms. [REDACTED] added that while the guy was being chased across the street and when he reached the sidewalk, she saw him pointing at the van with his right hand. She did not see anything in his hand. Ms. [REDACTED] said her two friends did not see anything because they were facing away and it happened "so fast."

██████████

Mr. ██████████ told Homicide and Internal Affairs Bureau investigators that around midnight on the evening of the incident he checked into the Valley Inn Motel, 13010 E. Valley Boulevard, which is across from "Miss Kitty's Bar." After checking in and dropping off their "stuff," he and his friend "██████████," decided to walk over to the bar. As they were crossing Valley Boulevard toward "Miss Kitty's Bar" he saw a guy, who looked scared, "running wildly" from the 76 Gas Station toward the bar. A van was chasing him and as the guy reached the sidewalk by the bar, the van pulled up behind the guy and the occupants of the van started "capping." Mr. ██████████ recalled hearing nine or ten rounds. The guy dropped to the ground. The front door of the van opened and the occupant fired "two more shots." Mr. ██████████ said he then saw a "cop car" arrive.

Mr. ██████████ said that he was on the same side of the street and about a hundred feet away from where the shooting occurred. When the shooting started, he grabbed "██████████" and threw her against the wall."

Mr. ██████████ did not see the suspect holding a weapon, nor what he was doing with his hands. Mr. ██████████ did not hear any yelling by the occupants of the van or the suspect.

IAB NOTE: "██████████" was identified as ██████████ ██████████. During her interview she said that she only heard the gunshots. She did not witness the shooting. **Refer to Exhibit A, Page 45 for her interview**

██████████

Mr. ██████████ told Homicide and Internal Affairs Bureau investigators that at the time of the incident, he and his friend, ██████████ ██████████ were going to "Miss Kitty's." Mr. ██████████ was the passenger. As they were eastbound on Valley Boulevard, he suddenly saw "this young guy" run southbound across the street in front of them. The guy was running from "Miss Kitty's." They drove past and turned around at the Chevron Gas Station which was just east of the bar. After they turned around, they were headed westbound toward the bar and saw a dark green van chasing the guy, who was now running northbound back toward "Miss Kitty's." The van was right behind the guy and "it kinda like went towards him and with the bumper it kinda like knocked him on the cement." The doors of the van then opened and he heard shots being fired. He did not see who fired the shots. Mr. ██████████ was about thirty feet away from the incident. He did not hear anyone yelling at the time of the incident.

Mr. ██████████ and his buddy then backed up to get out of the way of gunfire.

IAB NOTE: There was no evidence indicating that the suspect was struck by the van.

■■■■ ■■■■

Mr. ■■■■ told Homicide and Internal Affairs Bureau investigators that at the time of the incident, he and his friend, ■■■■ ■■■■ were going to "Miss Kitty's." As he drove eastbound on Valley Boulevard, he saw someone running southbound across the street in front of him. The person was nearly struck by other cars. He also saw a green mini van pull out from the parking lot of "Miss Kitty's" and chase the person toward the 76 Gas Station.

Mr. ■■■■ slowed down as they crossed in front of him. He then turned into the Chevron Gas Station, turned around and drove westbound. He could see out of the corner of his eye, the person run near the pumps of the 76 Gas Station and then back northbound across Valley Boulevard. Mr. ■■■■ stopped his car as this was occurring. Since the person was headed in his direction, Mr. ■■■■ said he backed his car up to get out of the way. The person reached the sidewalk near the closed liquor store and turned to face the van. The van stopped and the driver's side door opened. Since it was dark, Mr. ■■■■ could not see anyone get out of the van, but he saw a "black thing stick out" from the van. He then heard a "pop" and saw the guy drop to the sidewalk. Mr. ■■■■ was backing up as he watched the shooting. He then turned around to see where he was backing. While turned around, he heard several shots. He then heard a "bullet whiz by" him. Mr. ■■■■ then drove into the Chevron driveway and waited.

Mr. ■■■■ could not hear anyone yelling because his car windows were rolled up. Mr. ■■■■ said the suspect had his hands down to his side and was not holding a gun.

IAB NOTE: Mr. ■■■■ who was Mr. ■■■■ passenger, said the windows were down.

NON WITNESSES (Civilian)

Several people were interviewed regarding this incident who were present at the scene, but did not witness the shooting. **Refer to Exhibit A, Pages 40 through 47, Pages 58 through 79 and Pages 173 through 187 for a synopsis of those interviews and Exhibit B-Three (3) video tapes of interviews**

SUSPECT STATEMENTS:

Deceased

MISCELLANEOUS

The District Attorney's Office concluded that Deputies Morales and Heieck acted lawfully in self-defense and "had no alternatives to the use of deadly force at that time." **Refer to Exhibit A, Page 189-District Attorney's Letter of Opinion on Deputy Involved Shooting**